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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Box RCE

Assistant Commissioner for Patents
Washington, D.C. 20231

Application No.	09/590,044
Filing Date	June 8, 2000
First Named Inventor	Jacobson
Group Art Unit	2823
Examiner Name	Neal Berezny
Attorney Docket No.	MLB-068

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on ____.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- c. ☒ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☐ Information Disclosure Statement (IDS) enclosed.
- i. ☐ PTO-1449
- ii. ☐ Copies of IDS Citations
- f. ☐ Other _____

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. ☐ Small entity status
- i. ☐ was established in the prior nonprovisional application.
- ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☐ A Petition and Fee for Extension of Time for ____ months up to and including ____ is enclosed herewith.
- c. ☒ A check in the amount of \$ 750.00 is enclosed to cover the RCE fee.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$ ____, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

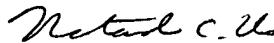
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3. MISCELLANEOUS

- a. ☒ Return Receipt Postcard enclosed.
b. ☐ Other _____

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  _____ Natasha C. Us Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Date: January 15, 2003 Reg. No. 44,381 Tel. No.: (617) 310-8327 Fax No.: (617) 248-7100

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Attorney Docket No. MLB-868

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jacobson et al.
 SERIAL NO.: 09/590,044 GROUP NO.: 2823
 FILING DATE: June 8, 2000 EXAMINER: Neal Berezny
 TITLE: METHODS AND APPARATUS FOR MANUFACTURING
 BIOELECTRONIC DEVICES

BOX RCE
 Commissioner for Patents
 Washington, D.C. 20231

AMENDMENT AND RESPONSE

Sir:

In response to the final Office action for the above-identified patent application, mailed from the United States Patent and Trademark Office on October 22, 2002, Applicants respectfully submit the following Response with a Request for Continued Examination ("RCE") for the above-identified patent application.

AMENDMENTS

Please enter the following amendments. In compliance with Rule 1.121, these amendments are presented below with all changes included. Another version of the amended material is attached on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of the material.

In the Claims

1. (Twice amended) A method of fabricating a bioelectronic component, the method comprising the steps of:

- a. providing a batch of nanoparticles having submicron sizes and an electrical characteristic;

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